

FILED ENTERED	RECEIVED SERVED ON COUNSEL/PARTIES OF RECORD
JUN 29 2017	
CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY: <i>JK</i>	DEPUTY

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,) 2:16-CR-349-RFB
) Plaintiff,)
))
 v.) Preliminary Order of Forfeiture
))
 ERIC M. BALDA,)
)
 Defendant.)

This Court finds that defendant Erica M. Balda pled guilty to Count Two of a Three-Count Criminal Indictment charging her with Interstate Transportation of Stolen Motor Vehicle in violation of Title 18, United States Code, Section 2312. Criminal Indictment, ECF No. 19; Change of Plea, ECF No. 65; Plea Agreement, ECF No. 67.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America has shown the requisite nexus between property set forth in the Forfeiture Allegation of the Criminal Indictment and the offense to which defendant Erica M. Balda pled guilty.

The following property is any firearm or ammunition involved in or used in any knowing violation of any criminal law of the United States, Title 18 United States Code, Section 2312, and is subject to forfeiture pursuant to Title 18, United States Code, Section 924(d)(1) with Title 28, United States Code, Section 2461(c):

1. 19 .38 special rounds of ammunition in red and black federal ammunition box;
2. 7 live .38 special rounds and 41 .38 special casings in green Remington box;
3. Full box of .38 special 130 grain full metal jacket ammunition; and

1 4. any and all ammunition
2 (all of which constitutes property).

3 This Court finds the United States of America is now entitled to, and should, reduce the
4 aforementioned property to the possession of the United States of America.

5 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that
6 the United States of America should seize the aforementioned property.

7 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest
8 of Erica M. Balda in the aforementioned property is forfeited and is vested in the United States
9 of America and shall be safely held by the United States of America until further order of the
10 Court.

11 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of
12 America shall publish for at least thirty (30) consecutive days on the official internet government
13 forfeiture website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited
14 property, state the time under the applicable statute when a petition contesting the forfeiture must
15 be filed, and state the name and contact information for the government attorney to be served
16 with the petition, pursuant to Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code,
17 Section 853(n)(2).

18 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual or
19 entity who claims an interest in the aforementioned property must file a petition for a hearing to
20 adjudicate the validity of the petitioner's alleged interest in the property, which petition shall be
21 signed by the petitioner under penalty of perjury pursuant to Title 21, United States Code,
22 Section 853(n)(3) and Title 28, United States Code, Section 1746, and shall set forth the nature
23 and extent of the petitioner's right, title, or interest in the forfeited property and any additional
24 facts supporting the petitioner's petition and the relief sought.

25 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be
26 filed with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101, no

1 later than thirty (30) days after the notice is sent or, if direct notice was not sent, no later than
2 sixty (60) days after the first day of the publication on the official internet government forfeiture
3 site, www.forfeiture.gov.

4 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if
5 any, shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at
6 the following address at the time of filing:

7 Michael A. Humphreys
8 Assistant United States Attorney
Daniel D. Hollingsworth
9 Assistant United States Attorney
501 Las Vegas Boulevard South, Suite 1100
Las Vegas, Nevada 89101.
10

11 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described
12 herein need not be published in the event a Declaration of Forfeiture is issued by the appropriate
13 agency following publication of notice of seizure and intent to administratively forfeit the above-
14 described property.

15 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send copies
16 of this Order to all counsel of record.

17 DATED this 29 day of June, 2017.



18
19
20 UNITED STATES DISTRICT JUDGE
21
22
23
24
25
26